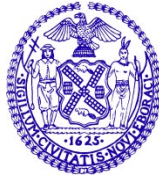


Exhibit “B”



The City of New York
Department of Investigation

DANIEL G. CORT
COMMISSIONER

180 MAIDEN LANE
NEW YORK, NY 10038
212-825-5900

Memorandum

To: Liz Delgado, Administrative Assistant

From: Shayvonne Nathaniel, Director of Human Resources and EEO Disability Rights Coordinator
Amy Young, Associate General Counsel and EEO Officer

Date: November 19, 2021

Subject: Reasonable Accommodation Request

The Department's Equal Employment Opportunity (EEO) office has received and reviewed your request dated October 22, 2021 for a reasonable accommodation. Specifically, you requested a religious exemption from the COVID-19 vaccination mandate.

After a review of your request, including an interactive discussion with you on October 28, 2021 and a review of any supporting information you provided, your request for an accommodation has been denied because it is not based on a sincerely held religious, moral, or ethical belief.

Please see the below regarding the appeal process:

You may appeal this decision within **3 business days**. Your appeal deadline is **close of business on November 24, 2021**. Please click on the link below and follow all instructions in order to proceed with your appeal. *Appeals are handled and reviewed independently of DOI's EEO Office.*

If you do not appeal, you must **submit proof of the first dose of vaccination within 3 business days of this letter (November 24, 2021) to DOICOVIDINFO@doi.nyc.gov or you will be placed on Leave Without Pay (LWOP) status.** If you receive a two-dose vaccine, you must provide documentation that that you have received the second dose of that vaccine within 45 days after receipt of the first dose.

- Please use your NYC work email address to submit your appeal via the online portal at <https://www.nyc.gov/vaxappeal>.
- If you do not have computer access or have technical issues, you may send an email to ReasonableAccommodation@doi.nyc.gov indicating your request to appeal.

The request for appeal must include a reason for the appeal. Upon notification of the appeal, the agency will upload all records concerning the agency determination of the reasonable accommodation request within **one business day**. Additional supplemental material may be requested from the employee. The employee can submit supplemental material directly through the appeals portal. For those who do not have an email address or computer access, they should provide the documentation to their agency EEO office to upload to the portal.

The City appeal panel will provide a written determination to the employee and the Agency EEO Officer. **There is no further appeals process.**

If an employee's appeal is denied, they must submit proof of the first dose of the vaccination **within 3 business days of receipt of the appeal denial**, and if part of a two-dose regimen, submit proof that you have received second dose within 45 days after receipt of the first dose. If an employee refuses to be vaccinated within this timeframe after an appeal is denied, they will be placed on LWOP immediately and may be subject to termination.

You must continue to submit a weekly negative test result within every seven-day period, as previously required, until either your reasonable accommodation request is approved on appeal, you submit proof of vaccination, or you are placed on LWOP status.

Note regarding union employees: As of November 9, 2021, members of certain unions, including District Council 37 and CWA 1180, are covered by a new vaccine mandate agreement. Upon submission of an appeal, the covered employee then has option of appealing to the City panel (as under current procedure) or to Scheinman Mediation and Arbitration Services. If going through arbitration, there is a narrowly defined basis for exemptions. An employee covered by an agreement that provides for the two appeal options should select Option A (City panel) or Option B (arbitration). If an employee does not make that selection in their initial appeal submission, the agency should contact the employee to request they make a selection. Any employee selecting arbitration must be sent a waiver form.

cc: Wesley Gibson, Deputy Commissioner of Operations
File